

Office of the Standing Chapter 13 Trustee
125 E JOHN CARPENTER FREEWAY
SUITE 1100 11TH FLOOR
IRVING, TX 75062
(214) 855-9200 / (214) 965-0756 (Fax)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:
ERVIN FRANK LAYER
Debtor

Case No: 13-30466-BJH-13

Hearing Date: June 19, 2014

Notice of Pre-Hearing Conference and Hearing on
"Trustee's Recommendation Concerning Claims, Objection to Claims and Plan
Modification (if required)"

TO: ALL PARTIES IN INTEREST

A pre-hearing conference with the Chapter 13 Trustee concerning the Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required) ("TRCC") will be held at **8:30 a.m.** on **June 19, 2014** at 125 E JOHN CARPENTER FREEWAY, SUITE 1100 11TH FLOOR, IRVING, TX 75062.

Any objection to the Pleading not resolved or defaulted at the Trustee's pre-hearing conference will be heard by the Court at 2:00 p.m. on the same day at 1100 Commerce Street, Fourteenth Floor, Dallas, Texas.

Pursuant to General Order 2010-01, unless an objection is timely filed as to the treatment of any claim or modification, the claim or modification will be allowed or approved as described in the TRCC, and such treatment will be final and binding on all parties.

TO BE CONSIDERED, ANY OBJECTION OR RESPONSE MUST BE MADE IN WRITING, FILED WITH THE COURT, AND A COPY SERVED ON ANY AFFECTED CREDITORS AND ON THE FOLLOWING PARTIES NO LATER THAN 05/15/2014.

Debtor: ERVIN FRANK LAYER, 9814 FAIRCREST DR, DALLAS, TX 75238
Attorney: ALLMAND LAW FIRM PC, 5646 MILTON ST, STE 120, DALLAS, TX 75206
Court: CLERK'S OFFICE, US BANKRUPTCY COURT, 1100 COMMERCE ST., 12TH FLOOR, DALLAS, TEXAS, 75202
Trustee: TRUSTEE'S OFFICE, 125 E. JOHN CARPENTER FREEWAY, SUITE #1100, IRVING, TEXAS 75062

By: /s/ Thomas D. Powers

Thomas D. Powers, Chapter 13 Trustee
State Bar No. 16218700

Case # 13-30466-BJH-13

Page 2

ERVIN FRANK LAYER

Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)

Certificate of Service

I hereby certify that a copy of the foregoing "Notice of Hearing on Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)" and "Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)" was served on the following parties at the addresses listed below by United States First Class Mail or via electronic mail.

Debtor: Ervin Frank Layer, 9814 Faircrest Dr, Dallas, Tx 75238

Attorney: Allmand Law Firm Pc, 5646 Milton St, Ste 120, Dallas, Tx 75206**

Creditor(s): Chase Card Services, Cardmember Service, Po Box 94014, Palatine, Il 60094

Codilis And Stawiarski Pc, 650 N Sam Houston Parkway East, Suite 450, Houston, Tx 77060

County Of Dallas, Co Linebarger Goggan Blair Et Al, 2777 N Stemmons Fwy Ste 1000, Dallas, Tx 75207**

Internal Revenue Service, Po Box 7317, Philadelphia, Pa 19101-7317

Internal Revenue Service, Po Box 7346, Philadelphia, Pa 19101-7346**

Jpmorgan Chase Bank Na, 3415 Vision Drive, Mail Code Oh4 7142, Columbus, Oh 43219

Jpmorgan Chase Bank Na, Mail Code La4-5555, 700 Kansas Lane, Monroe, La 71203

Prober And Raphael A Law Corp, 20750 Ventura Boulevard, Suite 100, Woodland Hills, Ca 91364

Richardson Isd, Perdue Brandon Fielder Collins, Po Box 13430, Arlington, Tx 76094-0430

Sallie Mae Inc Obo Ecmc, Ecmc, Lockbox 8682 Po Box 75848, St Paul, Mn 55175

Sallie Mae Inc, Ecmc, Po Box 75906, St Paul, Mn 55175

The Bank Of New York Mellon Fka The Bank Of New Yo, C/O Prober & Raphael, Po Box 4365, Woodland Hills, Ca 91365

The Bank Of New York Mellon, Bank Of America Na, Po Box 660933, Dallas, Tx 75266-0933

Us Dept Of Education, National Payment Center, Po Box 5609, Greenville, Tx 75403

**Indicates party has elected to receive all notifications via electronic service and was not served a copy via United States First Class Mail.

Dated: 04/15/2014

By: /s/ Thomas D. Powers
Thomas D. Powers, Chapter 13 Trustee
State Bar No. 16218700

Case # 13-30466-BJH-13

Page 3

ERVIN FRANK LAYER

Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:
ERVIN FRANK LAYER
Debtor

Case No: 13-30466-BJH-13

Hearing Date: June 19, 2014

**Trustee's Recommendation Concerning Claims, Objection to Claims and
Plan Modification (if required)**

The Trustee hereby objects to the following claims for the reason(s) indicated, pursuant to Bankruptcy Rule 3007:

I.

OBJECTION -- NO PROOF OF CLAIM FILED

The following creditors were scheduled by the Debtor. No Proof of Claim has been filed by them or on their behalf, as required by Bankruptcy Rule 3002(a). The "bar date" for filing claims pursuant to Bankruptcy Rule 3002(c) has passed. Therefore the claims should be DISALLOWED.

<u>T'ee #</u>	<u>Creditor's Name</u>	<u>Sched Amount</u>	<u>Sched Amount</u>
3	CHASE CARD SERVICES	Unsecured	\$ 19,000.00
8	US DEPT OF EDUCATION	Unsecured	\$ 60,000.00

II.

SPECIFIC OBJECTIONS

The Trustee hereby objects to the following claims, for the reason(s) indicated in Column 7. The claims should be ALLOWED/DISALLOWED as indicated in Column 4 for the amount and class indicated in Columns 5 and 6 respectively.

<small>Column 1</small> Pacer #	<small>Column 2</small> Creditor Name	<small>Column 3</small> Claim	<small>Column 4</small> Allow/ Disallow	<small>Column 5</small> Amount	<small>Column 6</small> Class	<small>Column 7</small> Reason (See Below)	<small>Column 8</small> T'ee #
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*** NONE ***

CODE: "REASON(S)" FOR CLAIM OBJECTION

*** NONE ***

III.

TRUSTEE'S RECOMMENDATIONS CONCERNING ALLOWED CLAIMS

The Trustee hereby recommends the ALLOWANCE of the following claims for the amount and in the class listed below.

Case # 13-30466-BJH-13

Page 4

ERVIN FRANK LAYER

Trustee's Recommendation Concerning Claims, Objection to Claims and Plan Modification (if required)

T'ee Cln #	DSO Creditors	Collateral	Claim Amount	Paid By
	*** NONE ***			

T'ee Cln #	Secured 910 Creditors No Cram Down	Collateral	Claim Amount	Value	%	Paid By
	*** NONE ***					

T'ee Cln #	Secured Creditors	Collateral	Claim Amount	Value	%	Paid By
10	COUNTY OF DALLAS	REAL PROPERTY	\$ 2,366.78	\$ 206,000.00	0.00	Direct by Debtor
4	JPMORGAN CHASE BANK NA	1ST LN/HOME/ARREARS	\$ 19,009.71	\$ 206,000.00	0.00	Trustee
15	JPMORGAN CHASE BANK NA	1ST LN/HOME/CURRENT	\$ 139,041.90	\$ 206,000.00	0.00	Direct by Debtor
11	RICHARDSON ISD	REAL PROPERTY	\$ 2,503.70	\$ 2,503.70	0.00	Direct by Debtor
2	THE BANK OF NEW YORK MELLON	2ND LN/HOME/ARREARS	\$ 3,858.51	\$ 68,952.00	0.00	Trustee
14	THE BANK OF NEW YORK MELLON	2ND LN/HOME/CURRENT	\$ 52,258.91	\$ 68,952.00	0.00	Direct by Debtor

T'ee Cln #	Priority Creditors	Comment	Claim Amount	Paid By
18	INTERNAL REVENUE SERVICE	TAXES	\$ 1,545.58	Trustee

T'ee Cln #	Unsecured - Special Class Creditors	Collateral	Claim Amount	Paid By
	*** NONE ***			

T'ee Cln #	Unexpired Leases	Collateral	Claim Amount	Value	%	Paid By
	*** NONE ***					

T'ee Cln #	Unsecured Creditors	Comment	Claim Amount
5	SALLIE MAE INC OBO ECMC	STUDENT LOAN	\$ 22,256.87

IV.

PLAN MODIFICATION, subject to feasibility

Pursuant to 11 U.S.C. Section 1329, and in accordance with General Order 2010-01, the Trustee requests the following Modification of the Debtor Confirmed Plan, subject to feasibility, herein:

- No Modification Needed.

By: /s/ Thomas D. Powers

Thomas D. Powers, Chapter 13 Trustee
State Bar No. 16218700